



Honorable Timothy C. Evans, Chief Judge

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Thursday, May 28, 2015

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MEDIA

GENERAL ORDER NO. 1.2,2.3 - Municipal Department

The Municipal Department is divided into six districts:

(a) Districts (Amended April 21, 2011, effective May 2, 2011.)

(1) District 1: The City of Chicago;

(2) District 2: The Townships of Evanston, Maine, excluding that part of the Township of Maine within the territorial limits of the municipality of Rosemont, New Trier, Niles, Northfield, excluding that part of the Township of Northfield within the territorial limits of the municipality of Prospect Heights, and that part of the Township of Wheeling within the territorial limits of the municipality of Des Plaines;

(3) District 3: The Townships of Barrington, Elk Grove, Hanover, Palatine and Schaumburg, that part of the Township of Leyden within the territorial limits of the municipalities of Rosemont and Schiller Park, that part of the Township of Maine within the territorial limits of the municipality of Rosemont, that part of the Township of Northfield within the territorial limits of the municipality of Prospect Heights, Wheeling, excluding that part of the Township of Wheeling within the territorial limits of the municipality of Des Plaines, Norwood Park, excluding that part of the Township of Norwood Park within the territorial limits of the City of Chicago;

(4) District 4: The Townships of Berwyn, Cicero, Leyden, excluding that part lying within the territorial limits of the municipalities of Rosemont and Schiller Park, Oak Park, Proviso, River Forest, and Riverside;

(5) District 5: The Townships of Lemont, Lyons, Orland, Palos, Stickney, and Worth;

(6) District 6: The Townships of Bloom, Bremen, Calumet, Rich, and Thornton;

(7) Notwithstanding the above, the municipalities of Crestwood and Oak Forest and the part of the Village of Tinley Park that is within the territorial limits of Cook County are in District 5.

(8) Notwithstanding the above, the territorial limits of the municipality of Bensenville which is within the territorial limits of Cook County is in District 4.

(b) Civil Actions Heard

(1) Municipal District One hears civil actions and proceedings at law seeking compensatory and consequential money damages not in excess of \$30,000, actions for the recovery of property of a value not in excess of \$30,000, actions of forcible entry and detainer, and proceedings ancillary and supplemental thereto, including attachment, garnishment, distress and citation.

(2) Municipal Districts Two, Three, Four, Five and Six hear civil actions and proceedings at law seeking compensatory and consequential money damages not in excess of \$100,000, actions for the recovery of property of a value not in excess of \$100,000, actions of forcible entry and detainer, and proceedings ancillary and supplemental thereto, including attachment, garnishment, distress and citation.

(3) Upon amendment prior to trial of a complaint ordinarily filed as a Municipal Department case, the amendment reflecting an increase in the ad damnum above the monetary damage amount set forth in section 2.1(a)(1) above, for reassignment purposes, the court, upon its own motion or upon motion of a party filed not later than 28 days after amendment of the complaint, shall transfer the action to the Presiding Judge of the respective Municipal District for reassignment to the Presiding Judge of the Law Division.

(4) Upon the court's own motion or motion of any party where the court finds that the reasonable value of an action pending in the Municipal Department exceeds the monetary damage amount set forth in section 2.1(a)(1) above, the court shall transfer the action to the Presiding Judge of the respective Municipal District for transfer to the Presiding Judge of the Law Division. The Presiding Judge of the Law Division shall hold a status hearing at which the parties may agree to allow the action to proceed as a Law Division action in the appropriate Municipal District courthouse location. If there is no agreement, the action shall proceed in the Law Division in the Richard J. Daley Center location.

(5) In actions filed seeking damages in the Municipal Department the complaint shall allege the amount of damages sought wherever applicable as follows:

(i) The amount sought to be recovered does not exceed \$2,500;

(ii) The amount sought to be recovered is not less than \$2,500 nor more than \$30,000 for actions filed in Municipal District One nor more than \$50,000 for actions filed in Municipal District Two, Three, Four, Five or Six. Pursuant to Illinois Supreme Court Rule 222, any such action shall have attached to the initial pleading the party's affidavit that the total money damages sought does not exceed \$50,000;

(iii) The amount sought to be recovered is not less than \$50,000 nor more than \$100,000 for actions filed in Municipal Districts Two, Three, Four, Five or Six. Pursuant to Supreme Court Rule 222, any such action shall have attached to the initial pleading the party's affidavit that the total money damages sought exceeds \$50,000.

(6) The Municipal Department also hears actions and proceedings filed by municipal corporations seeking certain relief, including injunctive relief, except proceedings in which the validity of a zoning ordinance is in controversy. Those actions heard in the Municipal Department include:

- (i) The enforcement of building, housing and zoning ordinances;
- (ii) The appointment of receivers in said cases to cause compliance with the said ordinances;
- (iii) The demolition of dangerous, unsafe and uncompleted buildings.

(7) The Municipal Department hears actions commenced to create receiverships under 765 ILCS 735/2.

(8) The Municipal Department hears civil actions brought by the Illinois Attorney General, under the Public Aid Code (305 ILCS 5/1-1 et seq.), to recover money in any amount given public aid recipients to which they were not entitled.

(9) The Municipal Department hears actions of Administrative Review under 625 ILCS 5/11-208.3, (administrative adjudication of violations of traffic regulations concerning the standing or parking of vehicles), as well as Administrative Review of vehicle impoundment hearings under ordinances 8-8-060 and 8-20-015 of the Municipal Code of Chicago (1993).

(10) The Municipal Department hears actions brought under the Controlled Substance and Cannabis Nuisance Act (740 ILCS 40/1 et seq.).

(11) Petitions for changes of name may be heard in Municipal Districts Two, Three, Four, Five and Six without regard to the municipal district within which petitioner resides. (Petitions for changes of name also may be heard in the Chancery Division without regard to the municipal district in which petitioner resides.)

(12) The Municipal District in which the municipality is located hears actions for administrative review of final decisions regarding municipal code violations made by code hearing units or departments established by such municipality pursuant to 65 ILCS 5/1-2.1-1, et seq. (applicable to municipalities that are home rule units) or 65 ILCS 5/1-2.2-1, et seq. (applicable to municipalities that are non-home rule units) and hears actions filed by municipalities pursuant to 65 ILCS 5/1-2.1-8 or 65 ILCS 5/1-2.2-55 for the enforcement of judgments and judgments on the findings, decision and order, respectively.

[Amended, effective July 12, 2000.]

(c) Presiding Judges

The Presiding Judges of those Municipal Districts in which actions of other division(s) are filed and heard shall be deemed supervising judges in such other division(s) for the purpose of facilitating case flow management.

(d) Place of Filing-Civil Proceedings

Civil Actions in the Municipal Department are filed in:

- (1) The district of residence of any defendant who is joined in good faith and with probable cause for the purpose of obtaining a judgment against the defendant and not solely for the purpose of permitting a filing in that district, or;
- (2) The district in which the transaction or some part thereof occurred out of which the cause of action arose. Actions of attachment, distress for rent, forcible entry and detainer, and for the recovery of property may be filed in the district where the property is located.
- (3) Actions seeking relief enumerated in Section 2.3 (b)(6) above shall be filed in the district where the municipal corporation seeking the relief is situated. Notwithstanding the provisions of this subparagraph, all actions filed by the County of Cook seeking relief as stated herein shall be filed in Municipal District 1.

The following definitions shall apply to the foregoing Section 2.3:

- (i) Any private corporation or railroad or bridge company organized under the laws of this State and any foreign corporation authorized to transact business in this State is a resident of any district in which it has its registered office or other office. If there is no registered office or other office in Cook County, the corporation or company is deemed to be a resident of any district in which it is transacting business.
- (ii) A partnership sued in its firm name is a resident of any district in which any partner resides or in which the partnership has an office or is doing business.

(e) Criminal Actions Heard

The Municipal Department hears criminal and quasi-criminal actions and prosecutions commenced by complaint or information except for those matters heard in the Domestic Violence Division.

[Amended, effective April 19, 2010.]

(f) Place of Filing-Criminal Proceedings

- (1) District 1. All criminal or quasi-criminal cases shall be filed as prescribed by the Presiding Judge of District 1.
- (2) Districts 2 through 6. Complaints for examination in all felony cases shall be filed in the Central District Court in the appropriate district. All other criminal or quasi-criminal cases shall be filed whenever practicable in that court in the appropriate district which is nearest to the location of the offense or in the Central District Court in the appropriate district.
- (3) Notwithstanding the provisions of subparagraphs (1) and (2), complaints in all criminal and quasi-criminal cases initiated by the State of Illinois Legislative Advisory Committee on Public Aid shall be filed in the Sixth Municipal District of the Circuit Court of Cook County.

[Amended, effective August 1, 1996.]



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